

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION

JOHN DOE,
Plaintiff,

v.

Case No.: 6:14 -- cv00052 - NKM

WASHINGTON AND LEE UNIVERSITY,
Defendant.

AFFIDAVIT OF DAVID LEONARD

David Leonard, being first duly sworn, deposes and states as follows for his

Affidavit:

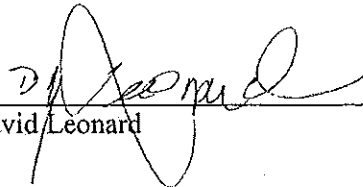
1. I am over twenty-one (21) years of age, and am under no legal or mental disability or defect, am competent to be a witness, and have personal knowledge of the facts set forth herein.
2. My name is David Leonard, and I am Dean of Student Life at Washington & Lee University, a position which I have held since 2011.
3. Since 2011, I also have served as the head of the Washington & Lee University Board of Appeals ("UBA"), which considers requests for appeals and hears appeals from the Washington & Lee University Student Faculty Hearing Board ("SFHB").
4. Following the decision to deny an appeal request, or the decision on an appeal that was accepted for review, it is standard procedure for me to request that the

members of the UBA involved in a particular case forward hard copy documents in their possession relevant to the appeal to my attention, and delete any e-mails relative to the appeal from their e-mail accounts. The purpose of this procedure is to ensure that Washington & Lee University maintains an official file as required by the Department of Education's Office of Civil Rights, and to ensure that the official file is maintained in a centralized location.

5. In the matter presently before the Court, in accordance with standard procedure, on or about December 3, 2014, I instructed the UBA members who considered John Doe's request for an appeal to delete any e-mails relevant to the request for appeal. I did not request the return of any hard copy documents because all communications in the matter were conducted via e-mail. I do not recall being specifically instructed by anyone to make this request. Moreover, had I been so instructed, it would have been in compliance with the standard practice outlined above.

6. On December 13, 2014, I received a litigation hold notice stating that litigation was anticipated regarding this matter, and instructing me to preserve all records. I acted in accordance with that litigation hold notice.

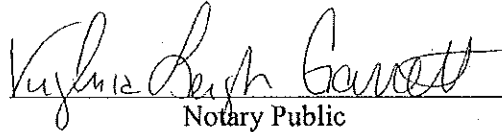
Further your affiant sayeth not.


David Leonard

STATE OF VIRGINIA

CITY/COUNTY OF Rockbridge

The foregoing instrument was acknowledged before me by David Leonard, in the aforesaid jurisdiction this 11th day of January, 2016, for the purposes contained therein.


Notary Public

My Commission expires: 7/31/2019

Registration No.: 283170

